

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PHNL040252WO	FOR FURTHER ACTION	See item 4 below
International application No. PCT/IB2005/050795	International filing date (<i>day/month/year</i>) 03 March 2005 (03.03.2005)	Priority date (<i>day/month/year</i>) 17 March 2004 (17.03.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 7 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	<table style="width: 100%;"> <tr> <td style="width: 50%;">Date of issuance of this report 19 September 2006 (19.09.2006)</td> <td style="width: 50%;">Authorized officer Cecile Chatel</td> </tr> <tr> <td colspan="2">e-mail: pt13@wipo.int</td> </tr> </table>	Date of issuance of this report 19 September 2006 (19.09.2006)	Authorized officer Cecile Chatel	e-mail: pt13@wipo.int	
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e-mail: pt13@wipo.int					

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 16 AUG 2005

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To:

29/9.

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/B2005/050795

International filing date (day/month/year)
03.03.2005

Priority date (day/month/year)
17.03.2004

International Patent Classification (IPC) or both national classification and IPC
H01K9/08, H01K1/14

Applicant
KONINKLIJKE PHILIPS ELECTRONICS N.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/050795

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/050795

**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or
Industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	3
	No: Claims	1,2,4-8
Inventive step (IS)	Yes: Claims	3
	No: Claims	1,2,4-8
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	-

2. Citations and explanations

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1) Lack of conciseness (Art. 6 PCT)

Although **claims 1 and 7** have been drafted as separate independent apparatus claims, they include numerous reproductions of identical technical features and have widely overlapping scopes. The aforementioned claims therefore lack conciseness.

It would appear appropriate to define the relevant subject-matter in terms of a single independent device claim, followed by dependent claims covering features which are merely optional (Rule 6.4 PCT).

2) Cited documents

Reference is made to the following documents:

- D1: GB 246 504 A (ANDRE ALBERT SAMUEL) 13 May 1926 (1926-05-13)
- D2: DATABASE WPI Section EI, Week 197902 Derwent Publications Ltd., London, GB; Class X26, AN 1979-A3541B XP002337783 -& SU 593 268 A (BABUSHKIN S G) 31 January 1978 (1978-01-31)
- D3: GB 21435 A A.D. 1914 (THE BRITISH THOMSON-HOUSTON COMPANY LIMITED) 24 June 1915 (1915-06-24)
- D4: US-A-4 536 831 (ENGLISH ET AL) 20 August 1985 (1985-08-20)

3) Novelty (Article 33(2) PCT)

3.1) The subject-matter of independent **claim 1** is not new over document D1, which discloses all features of this claim (see in particular figure 5 and related description on page 2); namely a lamp with a sealed vessel and two coaxial coiled filaments b,c having

different diameters, where coil c surrounds coil b, and selective electric power supplies e1, e2, and e3 for each of the coils b and c.

3.2) The subject-matter of claim 1 is equally not new over documents D2 (see WPI-abstract and figure) and D3 (see Fig. 2 and related description on page 2).

(It is noted that claim 1 of the present application does not claim means for *selectively* supplying power to each one of the filaments.)

3.3) The subject-matter of independent claim 7 is not new over each of D2 and D3 for essentially the same reasons as given in conjunction with claim 1 above. (A reflector is implicit to the cine projector mentioned in D2, abstract; as well as to the projector automobile lamps mentioned in D3 page 2 line 41; due to the finite dimensions of the filaments in D2 and D3 any beam created by such reflector is necessarily at some point diverging, at least after a focus position).

4) Articles 33(2) and (3) PCT

4.1) The subject-matter of independent claim 7 is not inventive over D1 for essentially the same reasons as given in conjunction with claim 1 above; since the additional feature of a reflector in claim 7 is an obvious and well-known design possibility (see e.g. D4 Fig. 5) which does not bring about any unexpected effect or advantage.

4.2) The claims 2, 4-6, and 8 referring back to claims 1 or 7 only comprise subject-matter relating to features which are known, explicitly or implicitly, from the citations (see the corresponding passages cited in the search report), and moreover are considered to be routine matter to be expected of the skilled person. Therefore these claims cannot serve as a basis for a new independent claim which would meet the requirements of the PCT as to novelty and/or inventive step.

For claim 2 see e.g. D2 (figure) or D4 (Fig. 2); for claim 4 see e.g. D1 figure 3, for claim 5 see D1 figure 5, D2 (figure), or D3 (figure 2); for claim 6 see e.g. D2 (title) or D4 (column 2 line 34). The vague and relative feature "substantially parabolic" in claim 8 cannot be used

to establish novelty or inventive step of the claimed subject-matter (cf. PCT-Guidelines 5.34), in particular, the reflector of e.g. D4 (figure 5) is "substantially parabolic".

4.3) The subject-matter of claim 3 differs from that of claim 1, and also differs from the disclosures of each of D1 to D3 as cited above, in that the filament forming the coil having the larger diameter has a larger thickness than the filament forming the coil having the smaller diameter.

The subject-matter of **claim 1** is therefore novel (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as compensating for the larger coil with respect to power capacity, so that both filaments may have the same power capacity (see page 2 lines 25 et seq. of the description).

The solution to this problem proposed in **claim 3** of the present application is considered as involving an inventive step (Article 33(3) PCT) since it is neither disclosed nor rendered obvious in the prior art. In fact, D3 (page 3 lines 8 et seq.) suggest exactly the opposite.